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SELLO TERCERO. **CUATRO REALES.**

Años de mil ochocientos cuarenta y seis y mil ochocientos cuarenta y siete.

En la Ciudad de Santa Fé Capital del Departam.to del Nuevo Mexico, á los seis dias del mes de Febrero de mil ochocientos cuarenta y seis, yo el Ciudadano José Albino Chacon Alcalde 1.º del Ayuntamiento de esta Ciudad y Juez de 1.ª Instancia del Distrito del Centro, dije: que mediante la Superior Orden q.e con fecha cuatro del corriente mes me ha sido dirigida por la Secretaria de Gobierno; y habiendose presentado en este Juzgado los Ciudadanos Juan Bautista Vigil y Alarid, y Antonio José Rivera con el Decreto de Concesion de terreno en la Jornada del muerto que la Exma. Asamblea Departamental les dió á diez de Enero proximo pasado á dhos. individuos, y el E. S. Gobernador confirmó en su Superior disposicion oficial de cuatro del corriente mes; en cuyo virtud procedase por mi el presente Juez á darseles la posecion Corporal Velquasi, de dhos. terrenos á los dos espresados agraciados bajo la condicion de que si D. Miguel Sanchez presentare la constancia de q.e habla la Superior comunicacion arriba citada, se le declarará por participe á dhos terrenos en igualdad de dros. á sus Socios segun su escrito de peticion. Y por este auto asi lo proveo mando y firmo con testigos de asistencia doy fee.

J. Albino Chacon

De Asis.ta

De Asis.ta
Telesforo Salazar

ta Fé Febrero 7. de 1846.

Agreguese á estos autos Copia testimoniada de la Superior Orden del E. S. Gobór. de enero del corriente segun se dispone por la misma. Decretolo asi yo el ciud.° José Albino Chacón Alcalde 1.° y Juez de 1.ª Instancia del Distrito, actuando con testigos de Asistencia doy fee.

J. Albino Chacón

De asist.ª
Juan María
Inboya

De Asist.ª
Ildefonso
Salazar

„Secretaria de Gobierno del Departam.to = El Exmo. Sr. Gobór. me manda prevenir á V. q. tan luego como le sea presentado el Documento q. acredite la concesion de Terreno dado por la Exma. Asamblea Departamental, en 10. de Enero proximo pasado, á D.n Juan Bautista Vigil y Alarid y á D. Antonio José Ribera, en el terreno, conocido por la Jornada del muerto, y de cuya donacion se escluye al Naturalizado Miguel Salomon Hanck, teniendolo por estrangero, y cuyo individuo, si presentare la correspondiente Carta de naturaleza, en este caso será tenido por agraciado como á los otros interesados arriba mencionados, á quienes procederá V. á poner en posesion de dhõ terreno, demarcandoles los linderos que señalaron en su peticion, por no haver alteradolos la Exma. Asamblea, que solo restringio el drõ. esclusivo de los pastos q. seran comunes á los transeuntes q. van y vienen por el camino, y aun á los asendados ó pastores de este y de otros Departamentos; previniendole ademas, de orden de S. E. q. al Documento de Concesion agregue V. una copia legalisada de esta comunicacion para q. sirva de resguardo á los interesados, y puedan estos con mayor seguridad emprender las obras de

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ros fijos los puntos siguientes: por el Norte la Mesita del Carrizo: por el Sur el paraje antiguo de Doña Ana en Roblecito: por el Oriente la Cordillera de la Sierra de Sandia y sus Chorreras en aquel rumbo: y por el Poniente el Rio del Norte; en cuyos rumbos pondran los interesados los correspondientes Mohoneros para evitar confusiones. Con advertencia de q. si el socio dela compañia José Miguel Salmon Hank, presentare la correspondiente Carta de Naturaleza, será tenido por propietario en igualdad de dros. con los Sres. Vigil y Ribera, pudiendo á mas admitir ó no segun les convenga por socios y compañeros en el citado terreno á la persona ó personas q. fuere su Voluntad y les merescan confianza. Y para la debida constancia y que este documento les sirva de titulo de posecion á los agraciados doy el presente que autorizo y firmo á los quince dias del mes de Marzo de mil ochocientos cuarenta y seis con los interesados y los testigos de mi asistencia con quienes actuo á falta de Escribano doy fé.

Dros. de posecion 150 pesos.

Albino Chacon

Juan Bautista Vigil y Alarid

Ant.to José Miranda

habrá varios que serán muy útiles al público librandose de muchos [illegible] y asegurando su Vida, y la de sus Animales á muy poco costo = Todo lo q. de orden de S.E. digo á U. para su cumplimiento y execucion, avisando del recibo del presente = Dios y Libertad Santa Fé Febrero 4 de 1846. = Nicolás Quintana Prosecretario = Sor. Alcalde y Juez de 1a. Instancia de esta Capital = Santa Fé.

Es copia fiel y legalm.te sacada de su original q. obra en lo papelero de mi cargo, para archibarse; confrontado y enmendado por mi y los de mi asistencia con quienes actuo por receptoria doy fe

Albino Chacon

De asist.a
Jesus Maria Tafoya

De asist.a
Ylefonso Salazar

En cumplimiento del anterior auto y del superior orden q. antecede de cuatro del proximo pasado Febrero q. se cita y consta en testimonio legalisado arriba, he pasado de ida y Vuelta, por el terreno, el Merced, dado á los expresados en el mismo Decreto de la Exma. Asamblea, por los conocimientos practicos q. tengo del expresado terreno de la Jornada del Muerto, y segun las leyes, ceremonias y Costumbres bien recibidos en este Departamento, he prosedido a darles la posecion q. de echo y de derecho les corresponde: por no haberse presentado hasta la fhá. ningun tercero de mejor Dro. ni haber oposicion de parte al terreno baldio que se les ha concedido en propiedad á los agraciados Francisco Vigil y Alarid, y Antonio José Ribera los cuales quedan en posecion quieta y pasifica de dho. terreno del que en señal de Verdadera posecion han arrancado yerbas, sacatas, tirado piedras dando boces de regocijo en Loor del Supremo Gobierno Mexicano, de cuya benignidad les viene dicha propiedad de la cual reconoceran y defenderan por todo

SELLO TERCERO.

Años de mil ochocientos cuarenta y seis

CUATRO REALES.

y mil ochocientos cuarenta y siete.

Munic.al
[illegible]
[illegible]

de [illegible]
[illegible]
Lafoya

En la ciudad de Santa Fe, capital del Departam.to del Nuevo Mejico, en diez y seis de Septiembre de este año de mil ochocientos cuarenta y seis. Yo el Ciudadano José Albino Chacon Alcalde 1.ro y Juez de 1.a Instancia de esta Capital y su Distrito dije: que en virtud de haver presentado el Sr. D. José Miguel Salomon Hauck al Juzgado de mi cargo, su carta de Naturaleza; agreguése esta original á estos Documentos de donacion y tengase por lo mismo al enunciado Hauck por participe y propietario y con los mismos Drõs. del terreno de la Jornada del Muerto arriba expresado, que los tres socios D. Juan Bautista Vigil y Alarid y D. Antonio José Ribera, segun la determinacion de la Exma. Asamblea de dies de Enero de este año y oficial comunicacion del S.S. Gobernador de cuatro de Febrero del mismo. Yo el Juez citado asi lo proveo y [illegible]: actuando con testigos de Asistencia ala not

A falta de escribano público doy fé.

J. Albino Chacón

de asist.a
José María Lafaya

De asist.a
J. Nepomo. Alarcón

Razon

Por haver reclamado Don Manuel Armendaris Vecino del Departamento de Chihuahua, parte del Terreno constante en esta merced por el lindero del Norte en la mecita del contadero, se Ordena, de órden del E. S. Gobôr. actual, álos dueños y propietarios dela Jornada del muerto: que no procedan álos sacos delas norias hasta que sea concluido el pleito entre dhô. Armendaris y los herederos del finado Don Franc.co Xabier Chaves; y por lo mismo el termino delos cinco años para la Conclusion delas norias se empesará á contar desde el propio dia en que se fije el dicho lindero del norte; ya sea por parte del dicho Armendares ó sus coolitigantes los herederos del dhô finado Chaves. Y para que conste puse esta razon que Rubriqué

In the town of Santa Fé, capital of the Department of New Mexico, on the sixth day of the month of February, one thousand eight hundred and forty-six, I the citizen José Albino Chacon, first Alcalde of this town, judge of first instance of the central district, declare that, in accordance with the superior order which, on the fourth day of the present month, was addressed to me by the Secretary of the Government, the citizens Juan Bautista Vigil y Alarid and Antonio José Rivera having presented themselves in this court with the decree granting them lands in the Jornada del Muerto, said decree having been issued by the honorable Departmental Assembly on the tenth day of January last past, and H. E. the Governor having confirmed it by superior official order on the 4th of the present month, I shall proceed to grant ~~them~~ corporal possession, *vel quasi*, of said lands to the two grantees aforesaid, on condition that, if Michael Hauck shall present the evidence mentioned in the above-named superior communication, he shall be declared a joint owner of said lands, to have equal rights with his partners, as set forth in their petition. In witness whereof I hereunto set my hand with witnesses.

J. Albino Chacon.

Jesus Maria Tafoya,
Telesforo Salazar,
Witnesses.

Santa Fé, February 7th, 1846.

Let there be added to these documents a certified copy of the superior order of His Excellency the Governor, dated

Feb. 4th, as ordered by the same. I the citizen José Albino Chacon, first Alcalde and judge of first instance of the district, acting with witnesses, do so decree. I certify.

J. Albino Chacon.

Jesus Maria Tafoya,
Telesforo Salazar, } Witnesses.

Certif.

Office of the Secretary of the Government of the Department. His Excellency the Governor orders me to direct you, as soon as the document accrediting the grant of land made by the honorable Departmental Assembly on the 10th day of January last past to Don Juan Bautista Vigil y Alarid, and to Don Antonio José Rivera shall be presented to you (said document granting) to said individuals the land known as the Jornada del Muerto, and Miguel Salomon Hauck, a naturalized citizen, being excluded from said grant for the reason that he is considered as a foreigner, which individual, if he shall present proper naturalization-papers, shall be considered a grantee equally with the other parties interested and aforementioned) to proceed to put said individuals in possession of said land, to cause them to establish the boundaries mentioned by them in their petition, the same not having been altered by the honorable Assembly, which, has only restricted the exclusive rights to the pastures, which shall be the common property of passers, and never that of estate-owners and sheep-farmers of this and other departments; directing you moreover, by order of His Excellency; to annex an authenticated copy of this communication, that it may serve as a protection to the parties interested, and that they may with greater security, commence the work of digging wells, which will be very useful to the public, as many losses of human lives will thus be prevented, and likewise the lives of much cattle saved, at a very small cost. All of which is by order of His Excellency. I communicate this to you for its performance and execution. Advise me of the receipt of this communication. God and Liberty. Santa Fé, February 4th, 1846. = Nicolas Quintana, Pro-secretary. = To the Alcalde and Judge of 1st Instance of this capital, Santa Fé.

A correct copy, legally

taken from its original, which is on file in the desk of my office, to be placed among the archives, compared and corrected by me and my assisting witnesses. I certify.

J. Albino Chacon.

Jesus Maria Tafoya. } witnesses.
Telesfóro Salazár. }

In accordance with the foregoing judicial order, and the superior order of the 4th day of February last, which is cited and appears above as authenticated testimony, I have passed, going and coming, through the land granted to the aforesaid persons by the same decree of the honorable Assembly; in view of the practical knowledge which I have of the said land called Jornada del Muerto, and according to the laws, ceremonies, and customs received in this Department, I have proceeded to grant them the possession which belongs to them both de facto and de jure, as no third party having a better right has appeared up to date, and as there is no opposition to their being put in possession of the unimproved land which has been granted, as their property, to the grantees Juan Bautista Vigil y Alarid, and Antonio José Rivera, who remain in quietly and peacefully possession + of said land, from which, as a sign of true possession, they have removed grass and stones, making grateful acknowledgments to the Supreme Government of Mexico, by whose bounty they hold said property, of which they will recognize and defend as boundaries the following points: on the north, the Mesita del Contadero; on the south, the old place of Doña Ana, in Roblecito; on the east the Sandia mountains and their water-courses on that side; and on the west the Rio del Norte; at which places the parties interested will place proper stakes so as to prevent confusion; with the proviso that, if José Miguel Salomon Hauck, one of the partners, shall present proper naturalization papers, he shall be received as joint owner, having the same rights as Messrs. Vigil and Rivera, it being optional with them to admit or not, as partners in the ownership of said land, such person or persons as they may consider worthy of their confidence. And for due evidence, and that this document may serve them as a title to the property aforesaid, I issue these presents, which

I authorize and sign on the fifteenth day of the month of March, one thousand eight hundred and forty-six, with the parties interested and my assisting witnesses, with whom I act in the absence of a notary. I certify.

Possession-dues, 150 dollars.

J. Albino Chacon.

Juan Bautista Vigil y Alarid.
Antonio José Rivera.

Telesforo Salazar } witnesses.
Jesus María Tafoya }

In the town of Santa Fé, capital of the Department of New Mexico, on the sixteenth day of September of this year one thousand eight hundred and forty-six, I, the citizen José Albino Chacon, first Alcalde and Judge of first instance of this capital and its district, do order, ~~xxxxxx~~ ~~that~~ by reason of Don José Miguel Salomon Hauck's having presented his naturalization papers in the court over which I preside, that this original be added to these documents of grant, and that the aforesaid Hauck be considered as joint proprietor, having the same rights to the land known as the Jornada del Muerto as Messrs. Juan Bautista Vigil y Alarid and Don Antonio José Rivera, according to the order of the honorable Assembly of the 10th day of January of this year, and the official communication of His Excellency the Governor of February fourth, of the same year. I, the aforesaid judge, do so order, acting with assisting witnesses, in the ab-

sence of a notary public.
J. Albino Chacon.

Jesus Maria Tafoya.
Telesforo Salazar. } Witnesses.

Reason.

For the reason that Don Manuel Armendaris, a resident of the Department of Chihuahua, has claimed a part of the land forming this grant on the northern boundary in (near?) the Mesita del Contadero; it is ordered, by order of His Excellency the present Governor, that the owners of the Jornada del Muerto shall not proceed to the digging of the wells until the conclusion of the lawsuit between said Armendaris and the heirs of Don Francisco Xavier Chaves, deceased; and for the same reason, the term of five years for the conclusion of the wells shall be computed from the day on which the said northern boundary shall be fixed, either by the aforesaid Armendaris or his opponents, the heirs of the aforesaid Chaves, deceased. And that this may have proper legal effect, I have written the above, and added this flourish (or rubric)

Supreme Court U.S.
1871 Dec: Term
No. 40
The U. States
vs.
Vigil, &c

Original documents
& translations

Filed 19th December 1871